



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/107,486	06/30/1998	YOSHIKO SHIIMORI	0905-0206P	8134

2292 7590 07/03/2002

BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER

POON, KING Y

ART UNIT	PAPER NUMBER
----------	--------------

2624

DATE MAILED: 07/03/2002

16

Please find below and/or attached an Office communication concerning this application or proceeding.

KT

Office Action Summary

Application No.

09/107,486

Applicant(s)

SHIIMORI ET AL.

Examiner

King Y. Poon

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2001 and 03 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10,12-20,22-36,38-43 and 45-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10,12-20,22-36,38-43 and 45-50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5. 6) ☐ Other: _____

Art Unit: 2624

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. Claims 25, 26, 29, 30, 33-36, 38-43, 45-48, 50 are rejected under 35 U.S.C. 102(e) as being anticipated by Kurahashi et al. (U.S. Patent # 5,687,332)

Regarding claim 25, 29, 33: Kurahashi discloses an image communication system in which an image server (23, fig. 2) and a client computer (22, fig. 1) are communicating with each other. The client transmits image data (column 7 line 55-60) and information (editing data, column 7 line 67) relating to the image data to the server. The image server comprises: an image output device (the function part of control program of the image server that is sending image data to printer 134 of fig. 13, column 11 line 59, column 12 line 33-38, fig. 13) for outputting an image on the basis of the information relating to the image data transmitted from the client, (column 11 line 59, column 12 line 1-40, fig. 13) and an information transmission device (server processing unit, column 8 line 5-10) for transmitting, to the client computer, information (editing data, column 8 line 5-10) relating to the image data transmitted from the client computer. (Column 7

Art Unit: 2624

line 65-67, column 8 line 1-10). The client further includes a retrieval mean (see # 324 of fig. 3) to retrieval image data specified by the information relating to the image data transmitted from the image server, wherein the image output device and the image information transmission device in the image server, and the retrieval means in the client computer are each separate and distinct component within the image communication system. (See above discussion)

Regarding claims 26, 30: Kurahashi teaches a client computer (22 of fig. 2) used in an image communication system in which an image server (23 of fig. 2) having a printer (134 of fig. 14) and the client computer are communicating with each other, comprising: a receiving device (311 of fig. 3) for receiving a part of a printing template image data (fig. 1) which is transmitted from the image server (column 8 line 1-8) and represents a part of a window synthesizing user image (fig. 1), and which is used for printing processing in the printer (column 12 line 1-5); and a synthesis device (314 of fig. 3) for synthesizing the received part of the printing template image data and a part of user image data stored in the client computer. (See column 8, 9)

Regarding claim 34: Kurahashi teaches to use processors to carry out the invention disclosed in claims 26, 30 (See 312, 314 of fig. 3) A processor is controlled by a program stored in a computer readable recording medium.

Regarding claims 35, 41: Kurahashi et al. teach an image editing system (see title, fig. 5) in which an image server (see # 52 of fig. 5) communicates with client computers (see # 53 and 55 of fig. 5) and the client computer edits images and sends the editing information (execution data indicating that an image is edited or reedited, if the information is that the image is to be edited by

Art Unit: 2624

the server, the information is an indication that the image is to be edited in the server and not in the client) to the server, (Column 6 line 45-56), wherein execution data indicating that an image is edited for the first time (see leaf node of column 10 line 12-13) or reedited after the initial editing. (See column 10) The image server also sends editing image information to the client computer (see column 8 line 1-10), and the server further includes: a judging device (the judging program discussed at column 7 line 1-5) for judging whether the editing (both initial editing or re-editing) is allowed to be edited in the client computer or the server base on transmitted execution information and send editing information to the client computer that editing is allowed, an allowance data transmission device (the program of the server that controls the sending image data suitable for processing by client, column 7, lines 1-10) for transmitting, when the judgement device judges that the initial editing or re-editing after the initial editing of the image is allowed, allowance data to one or another client computer which as been allowed to edit or re-edit the image; and a receiving device (41 of fig. 4) for receiving editing information from the client computer. The client computer comprises a control device/ image editing device (see # 32 of fig. 2) for performing editing (reediting) in response to the receiving of allowance data.

Note: Kurahashi teaches to send editing information back and forth and to have the image to be edited in any one of the computers, and the computer can edit the image data more than one time. (See column 9 line 5-20) Therefore, the computer used in the client or the server to reedit the image data (edit more than one time) is a reediting device, and the transmission device used to transmit the reediting information is a reediting transmission device.

Art Unit: 2624

Regarding claim 36, 43: As discussed in the discussion of claim 35, Kurahashi teaches to send editing (reediting) information about the editing image. The editing information is directed to the portion that the image is to be edited because the portion that is not to be edited does not have editing information.

Regarding claim 42: This is a method claim claiming the methods that the apparatus performs in claim 41. Please see claim 41.

Regarding claim 38, 45: Kurahashi teaches that a plurality of computers can be form by a group of two computers (see fig. 5) and because the computers are on a network, the network would have other groups of computers such as the group of computers shown in fig. 13.

Regarding claim 39, 46: Kurahashi teaches that the client computer comprises a keyboard (see fig. 5) (comment entry device) for entering editing information which can include comments like enlarge. (See enlarge comment of fig. 1) Those comment would be included in the editing information and sent to other computer/server in case that the other computer/server is chosen to perform image editing.

Regarding claim 40, 47: Kurahashi teaches that the edited image (6 of fig. 1) is constituted by a plurality of object images. (See fig. 1) The editing functions include deletion, (see column 10 line 55), addition, (see composite of fig. 1) and alteration. (See enlarge of fig. 1)

Regarding claim 48: Kurahashi teaches to use a computer (see client computer and server of fig. 5) which has a program to control the editing system in claim 35. Please see claim 35.

Art Unit: 2624

Regarding claim 50: Kurahashi teaches that the image server includes an editing information transmission device (41 of fig.4) for transmitting editing information relating to the edited image which has been transmitted from one client computer. (See discussion on claim 35) The client includes an image reediting device for reediting the edited image, (see fig.1 and fig. 7) and a reediting information transmission device for transmitting reediting information relating to the reedited image to the server. (See column 9 line 25-50)

3. Claims 1- 3, 5-7, 9, 13-20, 22-24, 27, 28, 31, 32 are rejected under 35 U.S.C. 102(e) as being anticipated by Hunt et al. (US 5,764,235)

Regarding claim 1: Hunt discloses an image communication system (see fig. 1A) in which an image server and a client computer having a display (see #330 of fig. 3) are communicating with each other, and the image server stores image data representing an image. (See column 4 line 66) The client computer comprises: a first transmission device, (the function part of the control program that is sending a request, column 3 line 2) controlled by a program stored in a ROM (314 of fig. 3), transmitting to the image server, a command (see request, column 3 line 1-11) to transmit image data stored in the image server, and a second transmission device (the function part of the control program that is sending the image control information, column 3 line 3) transmitting, to the image server display information about the image quality that the display is displaying (e.g., column 1 line 64-67, column 2 line 14-24, column 3 line 49-60) such that excess data need not be transmitted and processed by the server, (Note: the image quality that the

Art Unit: 2624

display displaying is information about the display), the first and second transmission devices transmitting the respective command and display information to reduce the amount of image data that the image server is required to process. (E.g., column 1 line 64-67, column 2 line 14-24, column 3 line 49-60) The image server comprises: a data quantity reduction device (see column 2 line 64-65, column 8 line 29-35) reducing the data quantity of image data to be transmitted in response to the image transmission command (request, column 3 line 2) transmitted from the first transmission device, on the basis of the display information transmitted from the second transmission device, and an image data transmission device (the function part of the program that is controlling the server to transmit image, column 2 line 30-55) transmitting, to the client computer, the reduced image data.

Regarding claim 5: Hunt discloses an image communication system (see fig. 1A) in which an image server and a client computer having a display (see #330 of fig. 3) communicating with each other, wherein the image server stores image data. (See column 4 line 66) The server comprises: a receiving device (106 of fig. 1) receiving a command from a first transmission device (the function part of the control program that is sending a request, column 3 line 2) in the client computer to transmit image data (see column 3 line 2, 106 of fig. 1) stored in the image server, and to display, (330 fig. 3) in the client, information relating the display (thumbnail or low quality) that is transmitted from a second transmission device (the function part of the control program that is sending the image control information, column 3 line 3) of the client (see column 9 line 1-5, column 3 line 1-10), the first and second transmission devices transmitting the

Art Unit: 2624

respective command and display information to reduce the amount of image data that the image server is required to process; (column 6 line 15-30) a quantity reduction device (see column 2 line 64-65, #114 of fig. 1B) to reduce image data to be transmitted according to the display information received from the client; and an image data transmission device (the function part of the program that is controlling the server to transmit image, column 2 line 30-55) transmitting, to the client computer, the reduced image data.

Regarding claims 2, and 6: Hunt teaches the display information is information relating to the maximum number of color (amount of RGB data, column 12, line 23, that is suitable for display) which can be displayed on the display device, and wherein the data quantity reduction device includes color reduction device (the program of the processing 1100, column 12, lines 15-17, that determines the adjusted amount of data to be transmitted) for reducing a number of colors of an image (RGB that is not transmitted, e.g., column 12, lines 23-25, and column 12, lines 35-45) represented by the image data to be transmitted on the basis of the information relating to the maximum number of colors. (amount of RGB data, column 12, line 23, that is suitable for display)

Regarding claims 3, and 7: Hunt teaches the display information is information relating to the resolution of the display device (column 12, line 52) and wherein the data quantity reduction device includes thinning means (1110, column 12, lines 14-20) for thinning out the image data (thinning out the additional data, column 12, lines 35-43, i.e., the additional data that is not originally transmitted) on the basis of the information relating to the resolution, to be transmitted

Art Unit: 2624

in response to the image transmission command, so as to reduce the data quantity of the image data. (Column 12, lines 15-17, column 12, lines 35-40).

Regarding claim 9: Hunt discloses an image communication system (see fig. 1A) in which an image server and a client computer having a display (see #330 of fig. 3) are communicating with each other, and the image server stores image data representing an image. (See column 4 line 66) The client computer comprises: a first transmission device, (the function part of the control program that is sending a request, column 3 line 2) controlled by a program stored in a ROM (314 of fig. 3), commanding (see request, column 3 line 1-11) the server to transmit image data stored in the image server, and a second transmission device (the function part of the control program that is sending the image control information, column 3 line 3) transmitting information about the image quality that the display is displaying (see column 1 line 64-67, column 2 line 14-24, column 3 line 49-60) such that excess data need not be transmitted and processed by the server, (Note: the image quality that the display displaying is information about the display), and a receiving device (324 of fig.3) receiving the image data reduced on the basis of the display information in the server. (See column 9 line 1-5, column 6 line 15-28)

Regarding claims 13, 17, 18: Hunt discloses an image communication system (see fig. 1A) in which an image server and a client computer (image data receiver) having a display (see #330 of fig. 3) are communicating with each other. The image server stores image data. (See column 4 line 66) The image server also comprises: an image data display transmission device (see the transmission medium between # 106 and # 304 of fig. 3) for transmitting image display data

Art Unit: 2624

for displaying a plurality of sample images (various images, column 13, lines 20-25) in side by side fashion (all images on a display are located in a side by side (right, up, top, bottom) fashion when the various images are displayed on a display device) for comparing and selection by a user, (see column 13 line 20-30) each of the sample images having different data size/characteristic (see column 8 line 46-68, column 9 line 1-5) and being transmitted to the client computer. The client computer comprises an image characteristics setting device (display, # 330 of fig. 3) for receiving the transmitted image display data, for displaying the plurality of sample images on the display device on the basis of the received image data, and for determining characteristics relating to the image selected from the display sample images; (column 13, lines 20-25) and a transmission device (see # 324 of fig. 3) for transmitting image characteristics to the server. (See supplied information and amount of data (data size) of abstract).

Regarding claim 14: Hunt teaches wherein the image display data transmission device transmits the image display data (image control data, column 11, lines 30-35) representing the plurality of images having different tonalities (different quality of images, column 12, lines 35-40) to the image receiver.

Regarding claim 15: Hunt teaches wherein the image server further includes an image data transmission device for transmitting, if the image data receiver can change the characteristic of the image displayed (see display can change to a better quality, column 12, lines 35-45) on the display device, image data whose characteristics have not been adjusted, (the data sent by the server that is before the additional data is being sent, column 12, lines 35-45), while transmitting, if the image

Art Unit: 2624

data receiver cannot change (the quality that limited by the author, column 12, lines 60-65) the characteristics of the displayed on the display device, image data whose characteristics has been adjusted (appropriate amounts of image data, column 13, line 46) in accordance with the image data characteristics data (request for image, column 13, line 43) transmitted from the image characteristics data transmission device to the image data receiver.

Regarding claim 16: Hunt teaches that the image data size can be stored in the server. (See fig. 6A) (at least one)

Regarding claims 19, 27, 31: Hunt discloses an image communication system (see fig. 1A) in which a client computer (102, fig. 1, 102 is a client because it would request, from another computer, information that is needed by the server to send the appropriate amount of data, column 13, lines 35-40) is communicating with a server (104, fig. 1A. 104 is a server because it would serve the data that 102 is request, column 13, lines 35-40) having a display (see #330 of fig. 3) the client computer comprising: a quantity reduction device (see column 2 line 64-65) for reducing the data quantity of image data to be transmitted to the server so that the data quantity of the image data to be transmitted is equal to or less than the data quantity of the image data representing the image to be outputted from the output device/display; and an image transmission device (the program of the client that is controlling the transmitting of image data, column 12, lines 35-45) to transmit the reduced image data (See column 2 line 30-32) to the server, wherein the image data quantity reduction device further includes: print image area designation means (the control of the client that is controlling the print format such that the image is printed on an area of

Art Unit: 2624

recording medium, column 12, lines 44-60) for designating an image area to be printed of an image represented by image data of one frame (one print); and partial image data extraction means (that program of the client that is controlling the amount of data to be sent, column 12, lines 35-45) for extracting partial image area data (the addition data that is not sent before, column 12, lines 35-45) representing the designated image area from the image data of one frame.

Regarding claim 20: Hunt teaches wherein the image quantity reduction device includes at least one of resolution conversion means (processing 1100, that converts image format with the correct resolution, column 12, lines 14-25, column 12, line 55-60) for converting the image data to be transmitted into image data having a resolution which is less than or equal to the resolution of the image output from the output device (display resolution, column 12, lines 55-60), so as to reduce the quantity of the image data, and thinning means (the program of the client that is controlling the image size to be display, column 9, lines 1-5) for thinning the image data such that the size is equal to the size of the output image.

Regarding claim 22: Hunt teaches wherein the image data quantity reduction device includes a compression rate determine means (114 of 1B) for determining the compression rate (the same image is being compressed into different image data size, column 8, lines 45-67) of the image data to be transmitted to the image server on the basis of the speed of transmission of the image data between the image server and the client, (different data sizes, column 8, lines 45-67, used for reducing transmission time, abstract), image data compression means (the program of the

Art Unit: 2624

client that is performing the data compression, column 12, lines 15-20) for compressing the image data at the predetermined compression rate.

Regarding 23, 28, 32: Hunt teaches a client computer (104 fig. 1) used in an image communication system (fig. 1) in which an image server and the client computer communicate with each other, comprising: a compression rate setting device (310 of fig. 3) for setting the compression rate of image data; (the same image is being compressed into different image data size, column 8, lines 45-67) a calculation device (310 of fig. 3) for calculating information (different data sizes, column 8, lines 45-67, used for reducing transmission time, abstract) relating to the time required for transmission in a case where the image data compressed at the set compression rate; (the same image is being compressed into different image data size, column 8, lines 45-67) and a display for displaying (# 330 of fig. 3) information (different data size, column 8, lines 45-67, column 9, lines 1-5) related to the calculated time for transmission. (See column 9 line 15-25, fig.6)

Regarding claim 24: Hunt teaches that the client computer has a display control device (310 of fig. 3) for controlling the display to display an image represented by the image data compressed at the set compression rate. (See column 9 line 1-5)

4. Claims 10, 12 are rejected under 35 U.S.C. 102(e) as being anticipated by over Uda et al. (US 5,720,013).

Art Unit: 2624

Regarding claims 10, 12: Uda discloses an image server (see # 107 of fig.1), used in an image communication system in which the server having a printer (104s of fig. 1) and the client computer having a display, (see # 106 of fig. 1) are communicating with each other, comprising: an image reading device, (see # 103a of fig. 1) a first color conversion device (see 601 of fig. 6) for performing first color conversion processing on the read image in accordance with a characteristic of the printer, a print controller (402 of fig. 4) for controlling the printer so as to print an image from the first color converted image data, a second color conversion device (503, column 6, lines 55-60) for performing second color conversion processing on the read image data in accordance with a characteristic of the display device (RGB, column 6, line 60); and an image transmission device (202, fig. 2) for transmitting the second color converted image data to the client computer. (Column 11, lines 45-50)

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 4, 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hunt et al. As applied to claims 1, and 5 above and further in view of Uda et al. (US 5,720,013)

Art Unit: 2624

Regarding claims 4, 8: Hunt teaches a color conversion processing means (the program of the processing 1100 that selects the format for display, column 12, lines 14-30) of the reduced image data on the basis of data representing characteristics of the display.

Hunt does not teach a printer for the server to print.

Uda teaches to provide a printer for a server to print image data for a host. (See fig. 1) Hunt and Uda are combinable because they are from the same area of using a server to store image data.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Hunt's image server to include: a printer for the server for printing images.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Hunt's image server by the teaching of Uda because of the following reasons: (a) it would have allowed remote users to utilize a distant printer which is effective as discussed in column 1 line 58-60 of Uda.

12. Claim 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uda et al. as applied to claim 10, and further in view of Hirono et al. (US 5,926,154)

Regarding claim 49: Uda discloses all of the claim limitations except a display direction conversion processing device for displaying the image data in normal position.

Art Unit: 2624

Hirono teaches that inputting an image position into an image memory and to display the image in normal position. (See column 7 line 54-67 and column 8 line 1-7) Uda, and Hirono are combinable because they are from the same area of displaying an image.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the image server of Uda to include: a display direction conversion processing device to display the image in normal position.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the image server of Uda by the teaching of Hirono because of the following reasons: (a) it would have allowed a user to scan in an image at any position and read out the image at a normal position as discussed in column 8 line 6-7 of Hirono which is desirable.

Note: the display direction converted data in the server is image data.

Response to Arguments

7. Applicant's arguments with respect to claims 1-10, 12-20, 22-36, 38-43, 45-50 have been considered but are moot in view of the new ground(s) of rejection.

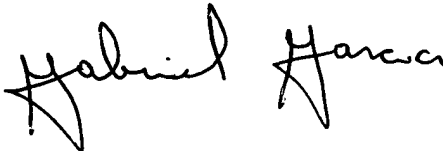
Applicant's argument filed on 8/20/2001, and 5/3/2001 has been entered and considered. A non-final office action has been issued with new grounds of rejection.

Art Unit: 2624

Conclusion

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to King Y. Poon whose telephone number is (703) 305-0892 or to Supervisor Mr. David Moore whose phone number is (703) 308-7452.

June 28, 2002

A handwritten signature in cursive script that reads "Gabriel Garcia".

GABRIEL GARCIA
PRIMARY EXAMINER